

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 14-00175 WHA

v.

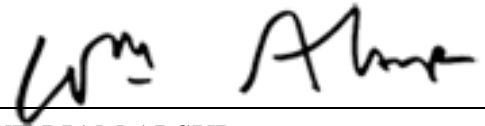
PACIFIC GAS AND ELECTRIC
COMPANY,**ORDER RE “PRIVILEGE”
REDACTIONS**Defendant.

In reviewing the documents submitted in response to Question 2, the Court has been stymied in understanding the documents (*see* Dkt. No. 1491). Very large portions have been “redacted for privilege.” However, it is not immediately apparent why the redacted material would be privileged. Moreover, PG&E has failed to provide any privilege log. Therefore, by **NOVEMBER 29, 2021, AT NOON**, PG&E shall submit a comprehensive statement for each specific redaction and explain what privilege is claimed and the specific basis for it. Keep in mind that for the attorney-client privilege, it is never enough to simply copy a lawyer on what is otherwise merely a communication among executives, even if the communication is deliberative in nature. Instead, the communication must be for the purpose of obtaining or giving legal advice. With respect to work product, the “privilege” has notable exceptions and PG&E must explain in sufficient detail why it is work product and why the exceptions do not

1 apply and further why any such “privilege” would even apply in a criminal case. This
2 explanation must be made specifically for each and every redaction claimed for “privilege.”
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4 **IT IS SO ORDERED.**
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6 Dated: November 9, 2021.
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A handwritten signature in black ink, appearing to read 'Wm Alsop', is written over a horizontal line.

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9 WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE
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